Texas Organizing Project

Questions for EPA Open House 12/11

General Questions

Does the CES site pose risk to public health and the environment?

The EPA believes that this site poses a risk to public health and the environment and that is the reason EPA is on-scene taking action to remove the hazardous substances located on the site.

How will EPA communicate this risk to the public?

The EPA intends to communicate the risk to the public and the environment via periodic updates on cleanup progress, meetings with the public, and individual meetings with concerned individuals.

What is EPA's plan for reducing this risk?

The EPA plan for reducing risk to the public is to remove and dispose of the hazardous substances located on the property. The EPA realizes that there is a potential for both on and off-site contamination associated with spills and runoff from the site. The EPA and/or the TCEQ intend to conduct or have others conduct on and offsite media sampling to determine the extent of any potential contamination and any subsequent cleanup actions that may be necessary.

How will the impacted community be involved in the process?

As long as EPA is involved in the process, the EPA will continue to produce fact sheets and hold information sessions as new information becomes available. This information can also be accessed on our web-site or by calling our toll-free number 1-800-533-3508, and asking for the Community Involvement Coordinator for the site.

A. Air Monitoring

The EPA conducted air sampling and performed air monitoring during the spill that occurred in July/August 2014. The analytical data has been posted for review at www.epaosc.net. Air monitoring has been performed during the EPA cleanup actions associated with the specific cleanup operations. The monitoring consists of the following parameters: Volatile Organic Compounds (VOCs), Hydrogen Sulfide (H2S), Lower Explosive Limit (LEL), Oxygen (O2), and Carbon Monoxide (CO).

1. Have air monitoring stations been set up?
   No, the EPA has not set up specific air monitoring stations but performs perimeter and operation specific air monitoring. We are dealing with many volatile compounds and sulfur compounds so detections for VOCs and H2S have been made onsite based upon site specific operations being conducted. The EPA utilizes an activated carbon unit to the

extent possible for the vacuum air from our operations to scrub volatile organic compounds in order to reduce those emissions.

2. Where?
   Not Applicable

3. What has each monitoring state discovered?
   The air monitoring focuses on primarily VOCs and H2S and we have had detections for both during the course of the response and will likely to continue to have such detections.

4. What is each monitoring station showing regarding exposure to hazardous substances?
   We do not have not set monitoring stations. See 3 above.

B. Soil Testing

August 2, 2014, the EPA conducted soil sampling in residential areas including ditches and impacted soil areas during the emergency response action of that date. (POLREP #1 8/2/2014)

1. Has soil testing been conducted on the site?
   No, soil testing has not been done although we have just recently sent samples to be analyzed for disposal of visibly contaminated soils the were removed and placed into a roll-off box for disposal. The EPA's current actions anticipates removing and disposing of visibly contaminated soils to the extent possible but does not anticipate cleanup based upon soil sampling results.
2. Has soil testing been conducted in people's yards?
   The EPA has only conducted soil sampling in the City Right-of-Way associated with the spill to Kingsbury at the end of July 2014. Future soil sampling is anticipated but not associated with the current cleanup action.
3. Where specifically have soil samples been taken from?
   On Kingsbury in the City Right-of-Way. A map is located on www.epaosc.net.
4. What has each sample location shown?
   The data associated with the sampling event is posted on www.epaosc.net. The results do not show that there is any immediate health risk from the residual material that may have been left behind after the spill cleanup operations.
5. What health risks are present?
   Based upon the limited sampling conducted within the drainage ditches the EPA does not believe there are immediate health risks remaining that are associated with the spill that occurred in July/August 2014.

C. Groundwater Testing

1. Have monitoring wells been dug?
   No.
2. Where?
   NA
3. What has each monitoring well shown in terms of hazardous substances?
   NA
4. Is there evidence of an underground plume?
   NA
5. What substances does the underground plume contain?
   NA
6. What is the location of the underground plume?
   NA
7. Does the plume reach outside of the CES site?
   NA
8. Where?
   NA
9. The well that SKA was drilling: is that EPA's monitoring well?
   No

D. Surface Water/Runoff Water testing
   1. Has ponded water or runoff water been tested?
      Yes
   2. What were the findings?
      The analytical results are posted at www.epaosc.net
   3. If the water is contaminated, how will it be contained on site?
      A dike was installed on the CES property on the southwest corner by the TCEQ and in the City Right-of-Way by the City of Houston to prevent continued runoff to the residential community to the South of the site (Kingsbury). Another dike was installed on the East side of the facility by the Trustee to prevent runoff to the East into the residential community along Grace Street. To a more limited extent, runoff may be occurring at other areas that border the property. Previously, excess stormwater on the North side of the facility would runoff to the stormwater drain at Griggs/Wayland. This has been the case since at least August 2010. When EPA arrived, EPA negotiated with the City of Houston to allow EPA to discharge this contaminated stormwater into the sanitary sewer pending cleanup of the potentially contaminated sediments below the accumulated water. The cleanup of these sediments on the northern portion of the property has been substantially completed and future releases to the storm drain may be able to resume pending future evaluation (sheen, etc.). The EPA does not intend on controlling excess rainfall to the property.

E. Indoor Testing
   1. Is there a plan for indoor testing of homes, schools, businesses and churches?

EPA has not conducted any indoor testing. The extent of future testing will be determined by EPA and/or TCEQ. Indoor testing is not anticipated as part of the current cleanup action.

2. Has it been carried out?
   NA
3. When will it be carried out?
   NA
4. What are the findings?
   NA

F. Onsite contaminants
1. Has the EPA determined the exact contaminants that exist on the CES site?
   There are a number of contaminants as listed in the EPA Action Memorandum, Fact Sheets, and the Laboratory Data posted on www.epaosc.net.
2. What are the contaminants?
   See laboratory data at www.epaosc.net
3. How much of each contaminant?
   See laboratory data at www.epaosc.net
4. Which of these contaminants pose a risk to human health and to what extent do the pose a risk?
   There are numerous contaminants within the containers on the site. The majority of these contaminants are hazardous substances and as such would be hazardous to human health.
5. What contaminants and how much of each have been removed from the site?
   The contents of various containers and other wastes have been removed from the site. The current status is as follows:

   - Management of Storm Water to reduce the overflow of contaminated storm water flowing off-site by discharging to the sanitary sewer as authorized by the City of Houston (approx. 200,000 gallons;
   - Removal of sediment/solids from the drainage pathway so that storm water can be allowed to flow off-site through the on-site drain on the northern portion of the site (contained but not disposed yet);
   - Removal of wastes from 10 of 12 Vacuum Boxes, 2 of 2 Roll-Off Boxes along with the removal of all but 1 of these containers off-site. The Trustee addressed 2 of the previously mentioned containers;
   - Removal of wastes from 8 of 12 Frac Tanks, 3 of 12 were originally empty, 2 are currently being used temporarily store EPA waste generation from cleanup operations. Therefore, there are 3 Frac Tanks currently holding wastes and the remainder empty;
   - Removal of liquid/pumpable wastes from 14 of 23 Aboveground Storage Tanks (ASTs). The remainder of the tanks and sludge and residual materials will be removed from the ASTs after the New Year.
   - Empty Totes/Drums have been segregated for sampling/bulking;;
   - Waste Piles dumped to the ground from the theft of 7 roll-off boxes was removed by the Trustee;
   - Lab Chemicals/Company Process Samples were collected and disposed by the Trustee;
   - Process Chemicals were collected and disposed by the Trustee;

6. What contaminants and how much of each remain at the site?
    - Totes/Drum/Miscellaneous Containers
    - 3 Frac Tanks
    - 9 ASTs with Liquids (14 with Sludge/Residual Materials)
    - 19 Waste Water Treatment Tanks
    - Visibly Contaminated Soils/Solids
7. Are funds available to remove all the remaining contaminants?
   We believe that we have sufficient funding to complete the activities unless we encounter unforeseen issues.
8. What is the timeline for the removal of the remaining contaminants?
   The exact date cannot be predicted but we are pushing to complete in early Spring.
9. What contaminants are producing the odor? What are the human health risks of exposure to the airborne contaminants?
   The chemical odors emanating from the Site are the result of compromised chemical containers containing cresol/phenolic compounds and historic spillage. The odors and potential threats will continue until all waste materials are removed from the Site and properly disposed. A few of the Agency for Toxic Substance and Disease Registry ToxFaqs has been posted to www.epaosc.net.
10. When will the contaminants causing the odor be removed from the site?
    EPA has removed that the high concentration cresol/phenol wastes. Although, all of the remaining wastes contain these same cresol/phenol wastes to some degree. You will continue to notice these compounds going forward to some degree but should dissipate over time.

G. Site Security
1. There is a temporary earth berm around the site. Is that berm continuous, intact and will it prevent the escape of contaminants from the site in the event of a major rain event? No, the dike is not continuous and there is no plan to make a continuous dike around the site. Rainfall on the site is approximately 160,000 to 200,000 gallons/inch of rain. There is no feasible way to handle the volume of water that falls on the site except the way it is currently being managed.
2. Is the site full secure from vandalism and is the risk of a future spill negligible at this point?
   The site is not fully secure but is substantially secure as EPA made fence repairs and have blocked the entrance to Wayland to attempt to prevent vehicular access access to the site. We are working with the Houston Police Department to provide increased surveillance around the facility. We need the residents assistance in notifying the HPD should they notice someone that does not belong on the site. Please contact the HPD.

H. Cleanup

What is the detailed estimate cost for cleanup and full site remediation?

The EPA has authorized funding up to $2,000,000 to complete the removal of chemicals and visibly contaminated soils along with cleaning up contaminated asphalt/concrete to the extent possible. Additionally, the TCEQ has committed up to $500,000 for the same or similar activities to insure that these items get completed.

1. How much does EPA have budgeted for this project?
   $2,000,000.00
2. Where will additional funds come from to complete cleanup and full site remediation?
   The EPA is currently evaluating CES Business Records to determine those that sent waste to the CES Facility. The EPA will pursue those companies if they are determined to be liable and viable. The TCEQ has a similar process and is moving forward in this process as well. Should these companies not take action then the EPA/TCEQ will have to move forward with the Superfund Remedial Process.
3. What cleanup activities and how many are unfunded at this point?
   Potential Soil Cleanup, Debris/Trash Cleanup/Container Disposal/Scrap
4. What is the timeline for EPA's current cleanup activities?
   EPA is expecting to finish the removal action this Spring pending unforeseen events.
5. What is the timeline to complete cleanup activities?
   Same as 4 above.

I. Future Site Usage

The EPA has no jurisdiction on Future Land Use. This is primarily a local decision although the State may have some say in this decision as well. The residents need to be vigilant with their local representative and insure they know their position on the Future use of this property.

1. The site is currently for sales by the bankruptcy trustee. How would a sale affect the EPA activities?
   The EPA/TCEQ have a working relationship with the Trustee. As a result, the Trustee coordinates activities with the EPA/TCEQ.
2. How would a sale affect the complete cleanup of the site?
   A sale would not impact the cleanup activities as EPA and/or TCEQ will require the new owner under Superfund Law to take necessary response actions.
3. Would a future owner be required to completely cleanup and fully remediate the site and surrounding properties?
   Yes, that is the normal Superfund process.
4. Would a future owner be allowed to engage in similar line of business to that which CES was permitted to engage in?

I am not familiar with the City of Houston planning and zoning requirements. I would hope that would not be the case but that is why you need to make sure that your local representative understand your point of view. The EPA has not control over this issue.

5. What additional oversight, monitoring, licensing, etc., would apply to a new owner's activities on the former CES site?
   This is controlled by the City of Houston or the State of Texas (ie. TCEQ).